



Djibouti

Country Reports on Human Rights Practices - [2003](#)

Released by the Bureau of Democracy, Human Rights, and Labor
February 25, 2004

Djibouti is a republic with a strong presidency and a weak legislature. In 1999, the country elected its second president since gaining independence in 1977. Ismael Omar Guelleh, the candidate of the ruling People's Rally for Progress (RPP) that has ruled the country since independence, won the election with 74 percent of the vote. In the 2002 legislative elections, the ruling party coalition won all 65 seats, amid opposition claims of massive fraud. The judiciary was not independent of the executive.

Security forces include the National Police Force and the Gendarmerie Nationale under the Ministry of Interior, the army under the Ministry of Defense, and an elite Republican Guard under the Presidency. An intelligence bureau under the direction of the National Security Advisor reports directly to the President. Civilian authorities generally maintained effective control of the security forces. Security forces committed serious human rights abuses.

The country's mixed economy has little industry and few natural resources; its population was estimated at 600,000. Outside the capital city, the primary economic activity was nomadic subsistence. The part of the annual gross domestic product not generated by and for the foreign community was estimated at no more than \$250 per capita annually. Much of the country's wealth was concentrated in the hands of a small elite.

The Government's human rights record remained poor, and it continued to commit serious abuses. The Government limited citizens' rights to change their government. There were reports that security forces beat and physically abused prisoners and detainees. Prison conditions remained harsh. The Government continued to detain persons arbitrarily. Prolonged detention and incommunicado detention were problems. The Government infringed on citizens' privacy rights. The Government restricted freedom of the press. The Government limited freedom of assembly, used force to disperse demonstrations and strikes, and restricted freedom of association. Violence and discrimination against women persisted, and, although the Government prohibited such practices, the practice of female genital mutilation (FGM) continued to be widespread. Discrimination on the basis of ethnicity, nationality, and clan background persisted. The Government restricted unions and harassed and intimidated their leaders. Child labor existed.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary or Unlawful Deprivation of Life

There were no political killings; however, on September 16, security forces shot and killed an undocumented foreigner fleeing capture during a roundup of illegal immigrants. There were other reports of deaths in connection with a government order for the expulsion of all undocumented foreigners (see Section 2.d.).

No action was taken in the April 2002 killing of a protestor by members of the presidential guard.

No action was taken, nor was any likely, against the members of the security forces responsible for the following killings in 2001: The police shooting of Mohamed Assa Ali; the police shooting of Asari Mohamed Moussa; and the military killing of one inhabitant of Hol-Hol refugee camp.

b. Disappearance

There were no reports of politically motivated disappearances.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The Constitution prohibits such practices; however, there continued to be reports that police and gendarmes beat and physically abused prisoners and detainees. Unlike in previous years, there were no reports that security forces raped detainees.

Police beat protestors while dispersing several demonstrations during the year (see Section 2.b.).

Prison conditions were harsh, and overcrowding was a serious problem. The Government shortened some prison terms to reduce overcrowding, and 200 common law prisoners, including 13 in detention since 2000 for their role in a failed coup attempt, were released in June by presidential decree in conjunction with the annual independence day celebration. The expulsion of the illegal foreigners also reduced the number of prisoners (see Section 2.d.).

Conditions at Nagad detention center, where foreigners were held prior to deportation, also were extremely harsh. Detainees at Nagad were held in unsanitary conditions and often were not fed for several days before their deportation (see Section 2.d.).

Several prisoners were reported to be suffering from untreated illnesses or injuries received during arrest. Medical care was inadequate, and the prison infirmary lacked sufficient medication and medical staff. There were no educational or rehabilitation facilities within the prison. Unlike in the previous year, there were no reports that prisoners were forced to pay authorities to obtain food or to receive food brought by family members.

Women and men were held in separate cells. Unlike the previous year, there were no reports that prison guards raped female inmates. Children of female inmates under the age of 5 sometimes were allowed to stay with their mothers. In principle juveniles were housed separately from adult prisoners; however, in practice this was not always the case. Pretrial detainees usually were not held separately from convicted prisoners due to the lack of facilities.

Daher Ahmed Farah, editor of *Le Renouveau* and president of the opposition coalition member party Movement for Democratic Renovation (MRD), was held in isolated confinement reserved for "dangerous criminals" for over 3 months between April and August for his conviction on libel charges (see Section 2.a.). Farah was restricted from receiving all visitors except his mother, who was permitted to bring him a daily meal.

There was no further development, nor was any likely, in the July 2002 death of former police chief Yacin Yalah Galab while in prison.

An International Committee of the Red Cross (ICRC) delegate from Kenya made quarterly visits to the main prison. The president of the Djiboutian Human Rights League (LDDH) was granted permission to visit prisoners in Gabode Prison during the year; however, the LDDH was refused permission to visit Daher Ahmed Farah.

d. Arbitrary Arrest, Detention, or Exile

The law prohibits arbitrary arrest and detention; however, the Government did not respect these prohibitions. The law stipulates that the Government may not detain a person beyond 48 hours without an examining magistrate's formal charge. Detainees may be held another 24 hours with the prior approval of the public prosecutor. All persons, including those accused of political or national security offenses, must be tried within 8 months of arraignment. The law also provides for bail and expeditious trial; however, the police occasionally disregarded these procedures. Incommunicado detention was used.

The Government did not take steps to prosecute human rights abusers, and official impunity was a problem. The police are under the Minister of Interior. Corruption among officials was reported, particularly in the lower ranks on the streets. There were approximately 3,000 officers; however, in December, the Government released 400 officers as part of a plan to reduce the size of the Government's bureaucracy.

The law prohibits forced exile; however, in the past, some released citizen prisoners were pressured to go overseas, most often to France.

e. Denial of Fair Public Trial

The Constitution provides for an independent judiciary; however, in practice, the judiciary was not independent of the executive. Constitutional provisions for a fair trial were not respected universally, even in nonpolitical cases. The Minister of Justice was officially responsible for human rights.

The judiciary, based on the French Napoleonic code, was composed of a lower court, an appeals courts, and a Supreme Court. The Supreme Court may overrule decisions of the lower courts. Magistrates are appointed for life terms. The Constitutional Council rules on the constitutionality of laws, including those related to the protection of human rights and civil liberties; however, its rulings did not always protect these rights.

The legal system is based on legislation and executive decrees, French codified law adopted at independence, Islamic law (Shari'a), and nomadic traditions. Urban crime was dealt with in the regular courts in accordance with French-inspired law and judicial practice. Civil actions may be brought in regular or traditional courts. Shari'a is restricted to civil and family matters. Traditional law often was used in conflict resolution and victim compensation. For example, traditional law often stipulates that a blood price be paid to the victim's clan for crimes such as murder and rape.

The Constitution states that the accused is innocent until proven guilty and has the right to legal counsel and to be examined by a doctor if imprisoned. Trials generally were public, except in politically sensitive cases when security measures effectively prevented public access. Legal counsel was supposed to be available to the indigent in criminal and civil matters; however, defendants often did not have legal representation. Court cases were heard in public before a presiding judge and two accompanying judges. The latter received assistance from two persons, lay assessors, who were not members of the bench, but who were considered to possess sufficient legal sophistication to comprehend court proceedings. The Government chose lay assessors from the public at large, but reports indicated that political and ethnic affiliations played a role in the selection.

In mid-January, the opposition coalition Union for a Democratic Alternative (UDA) filed a complaint with the Council of Claims under the direction of the Chamber of Appeals alleging abuses of power by the ruling party in January 10 legislative elections. The claim was unanswered at year's end, apparently because the position of the sitting judge on the Council of Claims had been unfilled since 1986 (see section 3).

On June 17, Daher Ahmed Farah was sentenced to 3 months in prison and 3 months suspended sentence with over \$65,000 in fines and damages on charges of libel (see Section 2.a.). The LDHH criticized his detention, citing it as purely political. Farah was released on August 5.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The Constitution prohibits such actions; however, the Government did not respect these prohibitions in practice. The law requires that the authorities obtain a warrant before conducting searches on private property; however, in practice, the Government did not always obtain warrants before conducting such searches, and it reportedly monitored and sometimes disrupted the communications of some government opponents.

On April 22, security forces entered the home of Daher Ahmed Farah and the offices of the Movement for Democratic Renovation (MRD) and confiscated typewriters, an amplifier, photocopiers, and files without a warrant. All materials were eventually returned.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The Constitution provides for freedom of speech and of the press; however, the Government restricted these rights in practice. The law prohibits the dissemination of false information and regulates the publication of newspapers. The Constitution prohibits slander.

The Government owned the principal newspaper, La Nation, which was published biweekly. In addition, each registered political party is permitted to publish a public journal. There were several opposition-run weekly and monthly publications that circulated freely and openly criticized the Government.

On March 15, Daher Ahmed Farah was arrested and detained for 1 day for "undermining army morale" and for libel charges brought against him by the Deputy Chief of the Army, General Zakaria Cheik Ibrahim. The charges stemmed from a March 6 article that accused the army command of carrying out politically motivated dismissals.

General Zakaria brought a second libel charge against Farah for an April 17 article that stated the General "lacked neutrality" and alleged that the General required female members of the military's "Troupe Harbi" to entertain him in sports attire. Farah was imprisoned on April 20 and released on June 3; however, he was re-imprisoned on June 5, acquitted and released on June 23, but found guilty by an appeals court on July 9 and reimprisoned. He was released again on August 5 (see Section 1.d.). The Government imposed a 6-month ban on the publication of *Le Renouveau* from Farah's imprisonment on April 20 through October 20.

The importation and sale of the Somaliland newspapers *Jamhuuriya* and *The Republican* remained in effect at year's end.

The Government also owned the radio and television stations. The official media generally were uncritical of government leaders and government policy. Radio-Television Djibouti (RTD), the official government station, broadcast 24 hours a day in four languages on the radio. The British Broadcasting Corporation and Radio France Internationale also broadcast in the country. During the year, the International Broadcasting Board began both FM and medium-wave Voice of America and Radio Sawa broadcasts.

By year's end, the Government had not created a National Commission charged with surveying the respect for pluralism of information and with the authority to license radio, television, and journalistic organizations as outlined in the 1992 law on the liberty of communication.

The country had one government-owned Internet service provider. Unlike in the previous year, the Government did not prevent access to several opposition and human rights websites.

The Government generally did not restrict academic freedom. In general, teachers could speak and conduct research without restriction, provided that they did not violate sedition laws.

b. Freedom of Peaceful Assembly and Association

The Constitution provides for freedom of assembly; however, the Government limited this right in practice. The Ministry of Interior requires permits for peaceful assembly and monitors opposition activities. Unlike in previous years, the Government approved opposition permits for peaceful assembly on several occasions. In February and March, the opposition held several demonstrations following legislative elections that remained peaceful despite a strong police presence. Some opposition leaders effectively practiced self-censorship and refrained from organizing popular demonstrations, rather than provoke a government crackdown.

On March 24, two students were seriously wounded when local police fired on anti-war demonstrators.

On August 16, police used force and gas to disrupt a demonstration protesting immigration policy. Police beat several protesters and reportedly transported approximately 50 individuals to the Ethiopian border.

There was no action taken against security forces who used excessive force to disperse demonstrations in 2002.

The Constitution provides for freedom of association provided that certain legal requirements are met; however, the Government restricted this right in practice. Political parties were required to be registered with the Government; however, in September 2002, the Government removed restrictions on the number of parties that could be formed. The Government continued to harass and intimidate members of groups who were viewed as opposed to the Government.

Nonpolitical associations also must register and be approved by the Ministry of Interior (MOI). Baha'i leaders reported they were refused the right to register.

c. Freedom of Religion

The Constitution, while declaring Islam to be the state religion, provides for freedom of religion, and the Government generally respected this right in practice; however, proselytizing was discouraged. Although Islam is the state religion, the Government imposed no sanctions on those who choose to ignore Islamic teachings or practice other faiths. More than 99 percent of the population was Sunni Muslim.

The Government requires that religious groups be registered with the MOI. Baha'i leaders reported they were refused the right to register.

There is no legal prohibition against proselytizing; however, proselytizing was discouraged.

For a more detailed discussion, see the [2003 International Religious Freedom Report](#).

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The Constitution provides for these rights; however, the Government at times limited these rights in practice.

For example, a judge may order a passport seized from persons under judicial surveillance or awaiting trial. There were no reports during the year that persons were restricted from leaving the country.

Landmines laid in Tadjoura and Obock districts in the 1990s restricted freedom of movement. The Government continued its demining efforts.

Unlike in previous years, there were no reports that women were not permitted to travel without the permission of an adult male relative.

The law provides for the granting of refugee status of asylum to persons who meet the definition in the 1951 U.N. Convention Relating to the Status of Refugees or its 1967 Protocol. In practice, the Government provided protection against refoulement to persons under the responsibility of the U.N. High Commission for Refugees (UNHCR); however, the Government did not routinely grant refugee or asylum status.

The country hosted an estimated 50,000 refugees and illegal foreigners at year's end. Although the Government officially did not recognize those refugees under the protection of UNHCR, the Government cooperated with UNHCR in providing assistance to more than 21,000 registered Somalis and Ethiopian residents of the two remaining refugee camps in Hol-Hol and Ali-Addeh.

On July 26, the Government announced that all undocumented foreigners--primarily from Ethiopia, Somalia, and Yemen--had until August 31 to depart the country. The deadline later was extended to September 15. In response to the expulsion order, thousands of illegal foreigners left the country ahead of the deadline. Reports indicated that there were numerous deaths related to the expulsion policy (see Section 1.a.). Some individuals died from exposure after security forces deposited them at the country's border. Other deaths were reported at the train station and the transit center of Aouraoussa, a former refugee camp, due to overcrowding and a lack of capacity. Authorities reported that more than 80,000 undocumented foreigners left the country as a result of the expulsion order; however, LDDH reported more than 110,000 had left.

Many foreigners who claimed a fear of persecution if returned to their countries of origin gathered at a stadium in the capital and were later transferred to the transit center in Aouraoussa. The Government's Office for Assistance to Refugees and Disaster Victims (ONARS) was responsible for the management of the transit center, in cooperation with UNHCR and other international organizations. The Government's National Eligibility Commission was reconstituted for the purpose of reviewing the asylum cases. UNHCR reviews each application for asylum, interviews the applicants, and forwards the packets to the commission for a determination. On November 8, the commission began reviewing the asylum cases from the transit center. Applicants who are granted asylum will be sent to a refugee camp; applicants who are not found eligible for asylum will be removed from the country. There were approximately 8,000 persons at the transit center who were seeking asylum, 4,000 of whom were believed to be southern Somalis with prima facie refugee status and 4,000 whose status was still pending at year's end.

During the year, the UNHCR repatriated 249 Somaliland refugees who had fled to the country during the Somaliland civil war.

There were unconfirmed reports of the forced return of persons to a country where they feared persecution, specifically Ethiopia. Unlike in the previous year, there were no reports that security forces used undocumented foreigners as forced labor on public works projects as well as for their own needs under threat of deportation.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

The Constitution provides citizens with the right to change their Government; however, the Government limited this right in practice.

The RPP candidate Ismael Omar Guelleh, the designated successor of former President Hassan Gouled Aptidon, won the 1999 election with 74 percent of the vote. For the first time since multiparty elections began in 1992, no group boycotted the vote. Although Moussa Ahmed Idriss and the ODU challenged the results, alleging election "irregularities" and asserting that "foreigners" voted in various districts of the capital, international and domestic observers considered the election to be generally fair and transparent, citing only minor irregularities.

In January, the country held its first multiparty elections. The legislative elections were contested by the pro-government coalition Union for the Presidential Majority (UMP) and the opposition coalition Union for a Democratic Alternative (UAD). The UMP was dominated by the Popular Assembly for Progress (RPP), the ruling party since independence, and also consisted of the National Democratic Party (PND), the Front for the Restoration of Unity and Democracy (FRUD), and the Popular Party for Social Democracy (PPSD). The UAD was made up of the Republican Alliance for Democracy (ARD), the MRD, the Djiboutian Union for Democracy and Justice (UDJ), and the Djiboutian Party for Development (PDD). The RPP continued to carefully control the political system. Official tallies registered a UMP majority victory in all 5 voter districts and a sweep of all 65 legislative seats, despite the UAD receiving 37 percent of the vote count. Observers from the African Union, the Arab League, and the Inter-Governmental Agency of French-Speaking Countries noted the peaceful conditions during the election but also identified irregularities in the process. The opposition claims of massive fraud centered on the electoral list, which was not made public, and accusations that the Government stuffed ballot boxes, mobilized military units to vote multiple times and intimidate opposition supporters, and changed vote counts in some districts. On February 20, the Constitutional Council rejected the UAD appeal to annul the elections.

There were 7 women in the 65-seat legislature. Seven legislative seats were reserved for women by presidential decree in the January elections. The country's first female parliament members took office when the UMP legislature convened in February. Hawa Ahmed Youssouf served as Minister of State for the Promotion of Women's, Family, and Social Affairs and reported to the Prime Minister. Khadija Abeba, President of the Supreme Court, was the highest-ranking female official and, according to the Constitution, would become interim President should that position become vacant.

There were 9 members of minorities--non-Issa Somali clans (Issaks, Gadaboursis, Darood, Fourlabe) and Arabs--in the 65-seat legislature. There were 3 members of minorities in the 20-seat cabinet. The President's subclan, the Issa Mamassans, wielded disproportionate power in affairs of state. Afars hold a number of senior ministerial posts; however, they were not well represented at lower levels. Somali clans other than the Issa and citizens of Yemeni origin were limited unofficially to one ministerial post each. There also were informal limits on the number of seats for each group in the Parliament.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A few domestic human rights groups generally operated without serious government restriction, doing limited investigating and sometimes publishing their findings on human rights cases. Government officials generally disregarded their views. The local human rights group LDDH operated without government interference during the year. The Union of Djiboutian Women (UNFD) and the Djiboutian Association for the Promotion of the Family (ADEPF) promoted the rights of women and children.

The ICRC maintained a small office that was staffed with locally hired personnel. The ICRC regional representative, who was based in Nairobi, made quarterly visits.

There was a government ombudsman, who also served as a legislator in the Parliament and whose specific responsibilities included mediation between governmental and non-governmental organizations (NGOs). There was no record of any successful mediation carried out by his office. The National Human Rights Committee for the Promotion and Protection of Human Rights was inactive during the year.

Section 5 Discrimination Based on Race, Sex, Disability, Language, or Social Status

The Constitution prohibits discrimination on the basis of language, race, or sex; however, discrimination against women and ethnic minorities persists. The Government's enforcement of laws to protect women and children was ineffective.

Women

Domestic violence against women existed but few cases were reported. Violence against women normally was

dealt with within the family or clan structure rather than in the courts. The police rarely intervened in domestic violence incidents, and the media reported only the most extreme examples, such as murder. The law includes sentences of up to 20 years' imprisonment for rapists. The number of such cases prosecuted during the year was unknown.

It was believed that as many as 98 percent of females have undergone FGM. FGM traditionally was performed on girls between the ages of 7 and 10. The law states that "violence causing genital mutilation" is punishable by 5 years' imprisonment and a fine of more than \$5,650 (1 million DF); however, the Government has not yet convicted anyone under this statute. The efforts of the UNFD and other groups to educate women were having some effect in the capital city. Many believed that the incidence and severity of infibulation has decreased, although no systematic data were available on the problem. U.N. and other experts believed that lesser forms of FGM still were practiced widely and that infibulation still was common in rural areas.

Prostitution is illegal; however, it was a significant problem. In general, there were two categories of prostitutes, those with apartments and those on the streets. The first group was largely tolerated and catered to the foreign (particularly military) community. However, the police vice squad targeted the prostitutes on the streets and reportedly raped them as a precondition of their release. Refugees and girls from poor local families were at greater risk of becoming street prostitutes.

Women legally possessed full civil rights, but custom and traditional societal discrimination in education dictated that they play a secondary role in public life and have fewer employment opportunities than men. Women largely were confined to trade and secretarial fields. Customary law, which is based on Shari'a, discriminates against women in such areas as inheritance, divorce, and travel. Male children inherited larger percentages of an estate than do female children. The few women who were educated increasingly turned to the regular courts to defend their interests.

Children

The Government devoted almost no public funds to the advancement of children's rights and welfare. A few charitable organizations worked with children. Primary education was compulsory; however, the Government did not monitor compliance. The Government provided tuition-free public education; however, there were extra expenses that could be prohibitive to poorer families, such as transportation, book fees, and chalk. School facilities continued to be inadequate. Teacher salaries continue to be in arrears, and a large percentage of highly qualified teachers have left the profession (see Section 6.e.). Approximately 20 percent of children who started secondary school completed their education. Only 62 percent of girls attended primary school, compared with 73 percent of boys, and only 23 percent of girls attended secondary school compared with 33 percent of boys. Only 32 percent of girls were literate, compared with 60 percent of boys, and more than 53 percent of the total population was illiterate. In rural areas, limited access to schools, a shortage of educational materials, and cultural attitudes led to significantly lower enrollment and greater disparities in enrollment between boys and girls.

Child abuse existed; however, except for FGM, it was not believed to be common. FGM was performed on as many as 98 percent of young girls (see Section 5, Women).

The Government has not addressed child abuse, which often was punished lightly. For example, when a child was raped or abused, the perpetrator usually was fined an amount sufficient to cover the child's medical care. The Government has not used existing provisions of the law to deal with child abuse more severely.

Persons with Disabilities

The Government did not mandate accessibility to buildings or government services for persons with disabilities. Although persons with disabilities have access to education and public health facilities, there was no specific law that addressed the needs of persons with disabilities, and there were no laws or regulations that prevent job discrimination against persons with disabilities.

National/Racial/Ethnic Minorities

The Government continued to discriminate against citizens on the basis of ethnicity in employment and job advancement. Somali Issas were the majority ethnic group and controlled the ruling party, the civil and security services, and the military forces. Discrimination based on ethnicity and clan affiliation limited the role of members of minority groups and clans in government and politics.

The Government conducted roundups of undocumented foreigners during the year (see Section 2.d.). The Government blamed undocumented foreigners--primarily from Ethiopia, Somalia, and Yemen--for the country's unemployment rate, rising crime, and disintegrating public works. Unlike in the previous year, there were no reports that security forces used undocumented foreigners as forced labor on public works projects as well as for their own needs under threat of deportation.

Section 6 Worker Rights

a. The Right of Association

The Constitution provides for the right to join unions and to strike; however, the Government restricted these rights.

A union must have government sanction to exist. The Government acted unilaterally in the drafting of a new labor code that restricts the establishment of trade unions. In recent years, the Government suppressed independent, representative unions by firing their leaders, preventing them from holding congresses, and created Government-sponsored shadow unions to replace them. The Djiboutian Union of Laborers (UDT) succeeded in holding an independent congress in September 2002; however, some government officials have since pressured members to disassociate from freely elected Secretary General Adan Abdou due to his participation in the opposition political coalition.

The law prohibits anti-union discrimination, and employers found legally guilty of discrimination were required to reinstate workers fired for union activities; however, the Government neither enforced nor complied with the law.

The law permits unions to maintain relations and exchanges with labor organizations abroad, and the Government did not restrict such contact. The nongovernment-controlled UDT was a member of the International Confederation of Free Trade Unions (ICFTU). The ICFTU cited the Government's lack of respect for trade union rights. The International Labor Organization (ILO) noted ongoing abuses by the Government in forbidding union meetings and preventing union officials from receiving their mail. The ILO Committee of Experts report released in 2002 indicated that little progress had been made and that the Government continued to violate national labor law and did not adhere to provisions set forth in ILO conventions.

b. The Right to Organize and Bargain Collectively

Although labor has the legal right to organize and bargain collectively, collective bargaining did not occur. Relations between employers and workers were informal and paternalistic. The Government could and did select labor representatives. Employers generally established wage rates on the basis of Ministry of Labor guidelines. In disputes over wages or health and safety problems, the Ministry of Labor encouraged direct resolution by labor representatives and employers. Workers or employers may request formal administrative hearings before the Ministry's inspection service; however, critics claimed that the service suffered from poor enforcement due to its low priority and inadequate funding.

The law requires representatives of employees who plan to strike to contact the Ministry of Interior 48 hours in advance. Kamil Hassan, a schoolteacher, who was reinstated in 2002 after leading a teacher's strike in 1997, was still not teaching at year's end.

There is an export processing zone, which was established in 1994; however, its activity level was low during the year.

c. Prohibition of Forced or Bonded Labor

The law prohibits forced or bonded labor, including by children. Unlike in the previous year, there were no reports of forced labor during the year. There were no reports that security forces used undocumented foreigners as forced labor on public works projects as well as for their own needs under threat of deportation.

d. Status of Child Labor Practices and Minimum Age for Employment

The law prohibits all labor by children under the age of 14, but the Government did not always enforce this prohibition effectively, and child labor, although not common, existed. Children generally were not employed in hazardous work. Children may and did work in family-owned businesses, such as restaurants and small shops, at all hours of the day and night. A shortage of labor inspectors reduced the likelihood of investigation into reports of

child labor.

The country has not ratified ILO Convention 182 on the worst forms of child labor.

e. Acceptable Conditions of Work

Only a small minority of the population was engaged in wage employment. The Government administratively sets minimum wage rates according to occupational categories, and the Ministry of Labor was charged with enforcement. The monthly wage rate for unskilled labor, set in 1976, was approximately \$125 (22,000 DF); however, it was not enforced in practice. The national minimum wage did not provide a decent standard of living for a worker and family. The Government owed 3 months' worth of salary arrears to teachers, security forces, and civil servants at year's end.

By law, the work week was 40 hours, normally spread over 6 days. The Ministry of Labor was responsible for enforcing occupational health and safety standards, wages, and work hours. Because enforcement was ineffective, workers sometimes faced hazardous working conditions. Workers rarely protested, mainly due to fear that others willing to accept the risks would replace them. There were no laws or regulations permitting workers to refuse to carry out dangerous work assignments without jeopardizing their continued employment.

Only legal foreign workers were protected under the law. Undocumented foreign nationals frequently worked at lower wages. Undocumented workers were detained and deported during the expulsions (see Section 2.d.).

f. Trafficking in Persons

The law does not prohibit trafficking in persons; however, there were no reports of persons being trafficked to, from, or within the country. Trafficking could be prosecuted under the Penal Code as "exploitation of the weakness or ignorance of persons."